

NSR Reform Package: Version 1

NSR Retooling Advisory Group November 5, 2003

Wisconsin Department of Natural Resources



Applicability Test: Baseline

- Look Back: 2 in 10 years
- Planned shutdowns/startups
- Replacement units considered as new units, except may use netting
- New units use 12 months of emissions data if operating 2 or more years
- 10 year projections (demand: further discussion needed)



Clean Units

- Retroactive Clean Unit Designation
 - BACT/LAER -- 10 year look back
 - Non BACT/LAER --comparable or equivalent to post-2001 or today's BACT/LAER
- Redesignation to nonattainment: Options
 - Evaluate CU as part of SIP process
 - Reevaluate Designation as Clean Unit
 - Require offset for significant increases from Clean Units employing BACT, not LAER
- In NAA, ERC are surplus if CU status not renewed



Plantwide Applicability Limits

- Attainment Area PALs
 - Standard baseline + significance threshold
- Nonattainment Area PALs
 - Same as AA except significant units decline to BACT by end of PAL term
- Clean Unit Opt Out for all areas
- Maintain NSR avoidance cap for all areas
- Termination: Same as federal, except for clean units



Pollution Control Projects

- Notice and Go for listed projects, at risk of DNR/EPA disagreement with Air Quality Analysis
- Optional DNR review of notice (comment within XX days or assume approved)
- In nonattainment areas, ERC are surplus if made enforceable.